

REMARKS

Claims 1-2, 4-8, 11, and 13-22 are currently pending in this application.

Objections to the Specification

The Examiner objected to the disclosure because the word "source" was misspelled on page 2, line 13, of the specification. The specification has been amended to correct the spelling of "source" on page 2, line 13.

The Applicant respectfully requests that the objection to the disclosure be withdrawn.

Claim Rejections – 35 USC § 103

Claims 1-2, 4-8, 11 and 13-22 are rejected under 35 USC § 103(a) as being unpatentable over Braun in view of Toshimasa et al. (NPL Document titled: "the Accuracy of Localizing Equivalent Dipoles and the Spatio-Temporal Correlations of Background EEG").

The Applicant respectfully asserts that Braun and Toshimasa, either alone or in combination, do not disclose, teach, suggest, or render obvious the inventions of the pending claims. For example, claim 1 recites "displaying the confidence intervals in an overlay on a three-dimensional image" and claim 11 recites "a display in communication with the processor and adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image, wherein the three-dimensional anatomical image is obtained through the use of the imaging source." Braun and Toshimasa, either alone or in combination, do not disclose, teach, or suggest a display adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image. The Examiner states that Toshimasa teaches a method for the accurate localizing of equivalent dipoles wherein the confidence interval is overlaid on an image obtained through the use of MRI. (Office Action, page 4, paragraph 1.) However, Toshimasa does not teach a display adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image. At most, Toshimasa discloses a display adapted to display the estimated locations of the dipoles. See, Fig. 2.

As stated in the MPEP, for an invention to be obvious, "[t]he gap between the prior art and the claimed invention may not be 'so great as to render the [claim] nonobvious to one reasonably skilled in the art.'" MPEP § 2141 (citing *Dann v. Johnston*, 425 U.S. 219, 230 (1976)). The differences between the invention of the pending claims and the combination of

Braun and Toshimasa, as discussed above, are so great as to render these claims nonobvious to one of ordinary skill in the art. Therefore, the pending claims are not obvious over Braun in view of Toshimasa.

Claims 13-16 and claims 21-22 are dependent on claim 11, and, consequently, are also not obvious over Braun in view of Toshimasa. Moreover, claim 14 is not obvious over Braun in view of Toshimasa because Braun and Toshimasa, either alone or in combination, do not teach, disclose, suggest, or render obvious the apparatus of claim 11 "wherein the imaging source is a CT unit."

Claim 17 is directed to a method comprising "displaying the confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions." Braun and Toshimasa, either alone or in combination, do not disclose, teach, suggest, or render obvious displaying the confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions. As correctly acknowledged by the Examiner, Braun "does not teach wherein the confidence interval is displayed in its anatomical position." (Office Action, page 5, paragraph 5.) The Examiner states that Toshimasa discloses a method "wherein the confidence interval is displayed in its anatomical position (see section 1, page 118, subsection IV, part d)." (*Id.*) However, the passage of Toshimasa cited by the Examiner, although it mentions the display of a two-dimensional "head slice," does not teach the display of a confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions. Therefore, Braun and Toshimasa, either alone or in combination, do not disclose, teach, or suggest the invention of claim 17.

Moreover, the differences between the invention of claim 17 and the combination of Braun and Toshimasa, as discussed above, are so great as to render claim 17 nonobvious to one of ordinary skill in the art. Therefore, claim 17 is not obvious over Braun in view of Toshimasa. Claims 18-20 are dependent on claim 17, and, consequently, are also not obvious over Braun in view of Toshimasa.

Reconsideration of the rejections of the pending claims is respectfully requested.

Conclusion

Applicant respectfully submits that, as amended, the subject application is in condition for allowance, and allowance thereof is kindly requested. Any extensions of time pursuant to 37 CFR §1.136 can be charged to the Deposit Account of the undersigned. Should the Examiner wish to discuss these claims further, or should an Examiner's Amendment be needed in order for the claims to proceed to allowance, the Examiner is invited to contact John Klos at (612) 977-8223 at the Examiner's earliest convenience.

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